

REMARKS

Applicants respectfully request that this Amendment be entered and the application reconsidered. Claim 1 has been amended to more particularly point out and distinctly claim the subject matter that Applicants consider to be the invention. Support for the Amendment is found at page 13, lines 21-26 and in Claim 4. Claims 4, 19 and 20 have been cancelled, thereby rendering moot rejections made in the Office Action mailed on March 12, 2008. Upon entry of the Amendment, Claims 1, 3, 5 and 7-10 are pending in the Application.

The Invention

Applicants are claiming an adhesive bandage comprising a wound contacting pad, where the wound contacting pad comprises from about 5% to about 30% by weight of absorbent fibers and from about 70% to about 95% by weight of synthetic non-absorbent fibers (Page 13, ll. 21-26). The absorbent fibers are selected from the group consisting of rayon, cotton, and wood pulp, and the synthetic non-absorbent fibers are selected from the group consisting of polyolefins, polyamides and polyester (Page 10, l. 22 – Page 11, l. 7). The absorbent fabric has a density of from about 0.01 g/cc to 0.05 g/cc (Page 3, ll. 5-7, Page 12, ll. 17-20, Page 13, ll. 21-24, and Page 15, ll. 27-28) and basis weight of from about 30 gsm to about 150 gsm (Page 12, ll. 2-4). The nonwoven fabric has a first major surface and a second major surface (Page 16, ll. 4-9, Page 23, ll. 21-24); and an apertured film (Page 3, ll. 23 – Page 8, ll. 4, Page 21, ll. 16-20, Page 22, ll. 13-14, Page 23, ll. 2) secured to at least one major surface of the nonwoven fabric (Page 10, ll. 4 – Page 11, ll. 25, Page 12, ll. 16-17, Page 14, ll. 11-13). An apertured film is secured to one surface of the nonwoven fabric.

In the Office Action dated March 12, 2008, Claims 1, 3, 5 and 7-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffo (US 3,523,536) in view of Ryan (US 5,019,062), and further in view of Hanssen et al (US 5,589,256).

Ruffo discloses an absorbent fibrous web suitable for use in diapers, underpads, dressings, cosmetic wipes and the like. The fibrous web, or core, is composed of predominately short fibers intermixed in a dry state with long fibers to form a heterogeneous mixture in which the long fibers serve to stabilize the short fibers (Abstract). The absorbent web, or core, of heterogeneous material is provided with a liquid permeable covering and contains a blend of about 1% to about 20% of hydrophilic long fibers and about 99% to about 80% of non-cardable short fibers (Col. 1, ll 54-65).

The short fibers generally are referred to as non-cardable. As stated in Ruffo, “These short fibers are those which have the ability to absorb moisture in the fibers, i.e., hydrophilic fibers.” The non-cardable, absorbent fibers may come from various forms of wood pulp or other natural sources (Col. 2, ll 13-17). The hydrophilic long fibers are either regenerated cellulose fibers, commonly known as rayon, or natural cellulose fibers (Col. 1, ll 71-74). As stated in Russo, hydrophilic fibers have the ability to absorb moisture in the fibers; i.e. they are absorbent fibers. Therefore, the hydrophilic long fibers are absorbent. As such, Applicants respectfully submit that Russo discloses only an absorbent fibrous web, or core, where the fibers contained therein consist of 100% absorbent fibers. Accordingly, Applicants respectfully submit that Ruffo fails to disclose or suggest an absorbent fabric that contains both absorbent fibers and synthetic nonabsorbent fibers. In fact, Applicants respectfully submit that Ruffo teaches away from using synthetic nonabsorbent fibers since cellulosic fibers are particularly favored “due to their inexpensiveness, high absorbency and availability characteristics” (Col. 2, ll. 22-24).

Ryan discloses a unitary, bicomponent film laminate that includes a first lamina having a pattern of discrete apertures and a second lamina having an odor control means adjacent the first polymeric lamina. The second lamina has a pattern of discrete apertures substantially coinciding with the apertures of the first lamina (Col. 1, line 53-Col. 2, line 11). The first lamina may be polymeric (10), or woven/nonwoven (10') material. When used with an absorbent core, e.g. a diaper or catamenial pad, it appears that the first lamina is disposed away from the core, while the second lamina is disposed in contact with the core. To clarify Figures 2, 4 and 6, Figure 4 shows one embodiment where 10 is a polymeric apertured film (Col. 5, line 10). In Figure 4, apertured film 10 is not secured to a major surface of a nonwoven fabric. Rather, lamina 12 is disposed between the fabric and the apertured film. Figure 2 apparently shows a different embodiment than Figure 4, showing lamina 14' having first fibrous lamina 10' with second lamina 12' associated therewith (Col. 5, ll 55-62). As shown in Figure 6, laminate 14', and thus nonwoven lamina 10', is not an apertured film secured to a nonwoven fabric as claimed by Applicants. As such, Applicants respectfully submit that the first lamina is not secured to a major surface of a nonwoven fabric (Col. 5, ll 8-17). In addition, Ryan fails to disclose or suggest a nonwoven fabric comprising both absorbent and synthetic nonabsorbent fibers. Ryan indicates suitable core materials include tissue, such a cellulose wadding and fibrated pulp (Col. 8, ll 10-22).

Hanssen discloses high bulk fibers having particulates adhered thereto and which are readily densified. While bandages are disclosed generically in Hanssen, Applicants respectfully

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submit that Hanssen fails to cure the deficiencies of Ruffo and Ryan in that Hanssen fails to disclose or suggest a wound-contacting pad comprising a mixture of absorbent and non-absorbent fibers and having the compositional and physical parameters as claimed.

Based on the foregoing, Applicants respectfully submit that the combination of Ruffo, Ryan and Hanssen fail to render obvious claims 1, 3, 5-7 or 9 under 35 U.S.C. 103(a) and request that the rejection thereof be withdrawn.

In the Office Action mailed on March 12, 2008, Claim 10 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffo/Ryan/Hanssen as applied to Claim 9 and further in view of Sheth (US 4,777,073). Applicants respectfully traverse.

Initially, Applicants reiterate all arguments above with respect to Ruffo, Ryan and Hanssen and respectfully submit that Claim 10 is patentable on that basis alone. Sheth discloses a breathable polyolefin film prepared by melt embossing a highly filled polyolefin film to impose a pattern on the film. It is respectfully submitted that Sheth fails to cure the deficiencies of Ruffo, Ryan and Hanssen in that Sheth fails to disclose or suggest a fabric containing both absorbent and synthetic nonabsorbent fibers. Accordingly, Applicants respectfully request that the rejection of claim 10 be withdrawn.

Applicants respectfully submit that all pending claims as amended are patentable over the references cited in the Office Action mailed on March 12, 2008 and earnestly request a Notice of Allowance to that affect.

Respectfully submitted,

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DATED: April 2, 2008